



Michigan Association of Housing Officials

May 18, 2005

To The Local Government Committee:

RE: HB 4473 Opposition

Michigan Association of Housing Officials (MAHO) is a statewide organization dedicated to the promotion of health and safety in all residential units. As a group we have witnessed housing conditions that are deplorable. All Code enforcement officers encounter housing conditions that exhibit a complete lack of maintenance and a total disregard to their tenants and the surrounding neighborhood's quality of life. HB 4473, if adopted, would have serious side effects.

HB 4473 would in effect, force some renters into caring for their families while living in unhealthy and substandard conditions. Is it right to have the same inspection time frames apply if there is a hazardous situation? We find that many renters are either unaware that they can complain or where they go to complain when their landlord fails to correct deficiencies in a timely manner. Some are afraid to lodge a complaint. These unknowing citizens are the people that benefit from more frequent inspections (instead of the 5 years proposed).

This bill states that no unit will be inspected for 5 years unless there is a complaint. The bill then specifies how that complaint must be lodged, how the inspection is held, how it is charged, how long it must be given to comply; it dictates what can be charged and also gives a vague reason for not paying the service fee. This bill essentially eliminates inspections by limiting routine inspections and by making it difficult for the typical tenant to feel confident filing a complaint for housing problems.

This bill calls for fees that are the 'actual reasonable cost', which it defines further as the inspector's hourly rate for the inspection time. The current law allows for reimbursement of the actual costs of enforcement (including support staff, transportation to the site, paper/postage, record keeping, etc). The overhead costs to enforce the Housing Code at HUD and MSHDA



properties, must be paid by someone. Unfortunately, the cost to enforce the housing code would become the burden of the taxpayer.

Section 126(3) requires giving complainant information directly and automatically to the owner. This bypasses the established Freedom of Information Act process. Intimidation and retaliation are two words that come to mind almost immediately. This section could either discourage tenants completely from complaining or provide sufficient fuel to an already hostile tenant/landlord dispute.

Mandating the frequency of inspections will result in buildings slowly deteriorating. Waiting 5 years between inspections is a serious mistake. This bill lowers the standard of living in low-income housing. It doesn't make good sense.

Section 125(4) actually allows, by law in HUD and MSHDA housing, up to 12 violations in 25% of the units. There is no mention as to the seriousness of the 12 allowed violations having any significance.

This bill also vaguely mentions that the inspection fees can remain unpaid until the landlord is satisfied with the detailed description of the service. Again, this means that taxpayers will foot the bill for inspections based upon the form of financing they have in place (again MSHDA and HUD funds are taxpayer dollars).

MAHO views the passing of this bill as harmful to our communities. Code enforcement should be fair and consistently enforced throughout the community. Area inspections are conducted to maintain and preserve neighborhoods. This eliminates biased caseloads where rental dwellings are singled out for enforcement. Homes in violation are fairly cited based upon the presence of disrepair rather than ownership, occupancy or permitted use.

HB 4473 also changes the definition of a violation so several serious violations may be grouped together and insinuates that only one violation exists. This diminishes the seriousness of the repair order by appearing insignificant, not actually reflecting the true situation.

Eliminating the ability of inspectors to reinspect violations sooner than 30 days from the inspection is ludicrous. Imagine if in your own home you encountered a situation like this:

Your furnace doesn't work. It is January and it is very cold. You call a repairperson that must wait 30 days before looking at your furnace. It's the law. The repairperson finally comes to verify that your furnace needs replacement. 30 days later they come to install the furnace and present the bill. You say you will only pay the cost of the installer's hourly wage and you will only pay for the actual cost of the furnace. Payment, you say, will be done after you are satisfied with the details contained in the billing. Change the furnace scenario to a water heater or smoke alarm violation report.

Clearly this bill hurts the ability of communities to protect their most vulnerable citizens. It adds the costs to enforce code compliance onto the general taxpayer. It does not merit consideration.

Our organization would agree that things can be done to improve the Housing Law in Michigan, such as establish the national standard, The International Property Maintenance Code, as the minimum standard code for rental housing in Michigan. We need to improve the law, not destroy the ability of communities to adequately protect their citizens in the manner most appropriate to that community.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Virginia Million', with a long, sweeping horizontal line extending to the right.

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